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08 MAY 14 PM 3:03

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

January 2007 Grand Jury

08 CR 1548

JLS

10	UNITED STATES OF AMERICA,	)	Criminal Case No. _____
11	Plaintiff,	)	
12	v.	)	<u>I N D I C T M E N T</u>
13	JUAN ONTIVEROS-PALOMARES,	)	Title 8, U.S.C., Secs. 1326(a)
14	aka Francisco Martinez-Gomez,	)	and (b) - Attempted Entry After
15	Defendant.	)	in the United States
		)	Deportation

The grand jury charges:

On or about January 24, 2008, within the Southern District of California, defendant JUAN ONTIVEROS-PALOMARES, aka Francisco Martinez-Gomez, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e., conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported and removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act to wit, crossing the

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WMC:fer:San Diego  
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1 border from Mexico into the United States, that was a substantial step  
2 toward committing the offense, all in violation of Title 8, United  
3 States Code, Sections 1326(a) and (b).

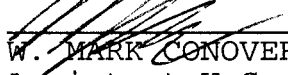
4 It is further alleged that defendant JUAN ONTIVEROS-PALOMARES,  
5 aka Francisco Martinez-Gomez, was removed from the United States  
6 subsequent to July 6, 2001.

7 DATED: May 14, 2008.

8 A TRUE BILL:

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10   
11 Foreperson

12 KAREN P. HEWITT  
13 United States Attorney

14 By:   
15 W. MARK CONOVER  
16 Assistant U.S. Attorney  
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